

Attorney Docket No. 60018300-0010

PATENT

REMARKS

Claims 21-44 and 46 remain pending in the above-identified application.

Applicant acknowledges the allowability of claims 21-33 and 40.

Claims 21-44 and 46 - Double Patenting

A terminal disclaimer is enclosed corresponding to commonly owned U.S. Patent No. 6,653,648 and U.S. Patent No. 6,448,571. Accordingly, the double patenting rejection is overcome and Applicant requests it be withdrawn.

Claims 34, 37-42, 44, and 46 - Section 102

Applicant requests reconsideration of the rejection of claims 34, 37-42, 44 and 46 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,581,538 (Lenhart).

Claims 34, 37 and 38 recite a method of using a radiation protection system comprising an x-ray table having a top surface for supporting a patient and a radiation-shielding screen attached to the x-ray table for covering a portion of the patient and a portion of the top surface of the x-ray table, wherein the radiation-shielding screen includes at least one port, the method comprising inserting procedural equipment through the port to access the patient with the procedural equipment and performing a medical procedure on the patient using the procedural equipment.

Lenhart discloses use of a radiation shield 16 and a curtain 40. Lenhart does not disclose inserting procedural equipment through a port to access a patient with the procedural equipment, or performing a medical procedure on the patient using the procedural equipment. Rather, Lenhart discloses inserting a hand between flaps 48, 52 of a radiation-shielding curtain 40 to touch a patient (column 3, lines 30-33). Because all of the requirements of the claims are not disclosed in the reference, the Section 102 rejection is improper and should be withdrawn.

Further regarding claim 37, Lenhart does not show a method of using a radiation protection system comprising positioning a radiation-closing cloak *over the port and around the procedural equipment* passing through the port *to create a substantially radiation-resistant seal over the port and around the procedural equipment*. For this additional reason, the Section 102 rejection is improper and should be withdrawn.

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Further regarding claim 38, Lenhart does not show a method of using a radiation protection system comprising *positioning the cloak over any unused ports to create radiation-resistant seal* over the port. Because all of the requirements of the claims are not disclosed in the reference, the Section 102 rejection is improper and should be withdrawn.

Claim 39 recites a method of performing a medical procedure comprising providing a radiation-shielding wall having an opening therein, locating the wall with respect to an x-ray table so a portion of the x-ray table extends through the opening, joining the x-ray table to the wall using a radiation-shielding flexible interface, sealing the opening in the first wall using a flexible radiation-resistant skirt, and using the wall to separate medical personnel located adjacent a first side of the wall from an x-ray emitter disposed adjacent a second side of the wall opposite the first side to shield the medical personnel from radiation emitted by the x-ray emitter. Lenhart does not disclose the claimed features. For example, Lenhart does not show *joining* the x-ray table to the wall using a *radiation shielding flexible interface* and sealing the opening in the first wall using a *flexible radiation-resistant skirt*.

Regarding claim 40, it appears the claim was inadvertently listed in the statement of rejection (page 6, line 14) for two reasons. First, claim 40 is identified in the Office action as being allowable, conditioned upon the filing of a terminal disclaimer (page 10, lines 10-12). Second, the rejection does not address the elements recited in claim 40. Applicant requests the Section 102 rejection be withdrawn.

Claims 41, 42, and 44 recite a radiation protection system for shielding medical personnel from radiation emitted by an x-ray emitter during radiological procedures comprising a table sized and shaped for supporting a patient, a radiation-shielding barrier positionable between the medical personnel and the x-ray emitter for shielding the medical personnel from x-ray radiation emitted from the x-ray emitter, and a radiation-shielding screen *connected* to the barrier and *attached* to the table. Lenhart does not disclose the claimed features. For example, Lenhart does not show a radiation-shielding screen connected to the barrier and attached to the table. Accordingly, the Section 102 rejection is improper and should be withdrawn.

Further regarding claim 42, Lenhart fails to show a radiation-shielding interface connecting the radiation-shielding barrier and the radiation shielding screen. Because

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this feature is not disclosed in the reference; the Section 102 rejection should be withdrawn.

Further regarding claim 44, Lenhart fails to show a radiation protection system wherein the barrier comprises a cubical sized and shaped for housing the medical personnel. Accordingly, the Section 102 rejection should be withdrawn.

Claim 46 recites a method for shielding medical personnel from radiation emitted by an x-ray emitter during radiological procedures comprising shielding medical personnel from x-ray radiation emitted from the x-ray emitter by positioning a radiation-shielding barrier between the medical personnel and the x-ray emitter, shielding the medical personnel from x-ray radiation emitted from a patient by positioning a radiation-shielding screen between the medical personnel and the patient, *attaching* the screen to a table for supporting the patient, and connecting the screen to the barrier. Lenhart fails to show *attaching* the screen to a table for supporting the patient. Thus, the Section 102 is improper and should be withdrawn.

Claims 35 and 36 - Section 103

Applicant requests reconsideration of the rejection of claims 35 and 36 under 35 U.S.C. § 103(a) as being unpatentable over Lenhart in view of U.S. Patent No. 6,325,538 (Heesch). Claims 35 and 36 depend from claim 34. Thus, claims 35 and 36 are allowable for the same reasons identified above with respect to claim 34.

Further regarding claim 35, the references, individually and in combination, fail to show or suggest a method comprising positioning the circumferentially pleated portion of the vascular access drape so the drape is operatively connected to the x-ray table to form a radiation-resistant seal.

Further regarding claim 36, the references, individually and in combination, fail to show or suggest a method of using a radiation protection system wherein the extending step comprises *positioning the radiation-shielding screen so the port is located over one of the right and left femoral vascular access regions* of the patient, and the inserting step comprises *inserting a catheter through the port to access one of the right and left femoral vessels of the patient with the catheter*.

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Because the cited references, individually and in combination, fail to show or suggest every feature of the claim, the rejection is improper. Accordingly, Applicants respectfully request the rejection be withdrawn.

Claim 43 - Section 103

Applicant requests reconsideration of the rejection of Claim 43 under 35 U.S.C. § 103(a) as being unpatentable over Lenhart in view of U.S. Patent No. 5,851,182 (Sahadevan). Claim 43 depends from claim 41 and, thus, is allowable for the same reasons identified above with respect to claim 41.

Conclusion

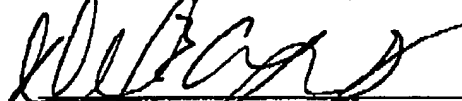
As it is believed that the application is in condition for allowance, a favorable action and a Notice of Allowance are respectfully requested.

Applicant has included a Credit Card Payment Form in the amount of \$65.00 to cover the Terminal Disclaimer fee under 37 CFR 1.20(d). The Commissioner is hereby authorized to credit overpayments or to charge any deficiency in connection with this filing to Deposit Account No. 19-3140.

If the Examiner believes that there is any issue that could be resolved by an interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Date: 21 JUN 05

Respectfully submitted,



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